App. Ser. No.: 09/865.371 Atty. Dkt. No. ROC920010109US1 PS Ref. No.: 1032.005572 (IBMK10109)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: § Filed: May 25, 2001

Earl Walter Emerick et al. š Group Art Unit: 3627

0000000 Serial No.: 09/865,371 Examiner: Ronald Laneau Confirmation No : 3728

Method and Apparatus Upgrade Assistance Using Critical Historical Product

Information

## CERTIFICATE OF MAILING OR TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box

1450. Alexandria. VA 22313-1450. or facsimile transmitted to the U.S. Patent and Trademark Office to fax number 571-273-8300 to the attention of Examiner

Joseph Jona

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Ronald Laneau, or electronically transmitted via EFS-Web, on the date shown

September 12, 2007 Date /Joseph Jong/

Dear Sir

## **RESPONSE TO OFFICE ACTION DATED JUNE 12, 2007**

In response to the Office Action dated June 12, 2007, having a shortened statutory period for response set to expire on September 12, 2007, please enter this response and reconsider the claims pending in the application for reasons discussed below. While no fees are believed due, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 09-0465/ROC920010109US1 for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper. Remarks/Arguments begin on page 7 of this paper.